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ALFRED
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MM977

There ought to be a law against the Pomfrets of this world . . .

VARIATIONS ON A SCHEME

by JACK
RITCHIE



It seemed natural that my first question should be, "How old are you?" Pomfret beamed. "I'll be seventy-two in July."

I regarded him sternly. "Surely that makes you old enough to realize that murder solves nothing."

He gave the matter thought. "That's an extreme generalization and doesn't hold water. Anyway, I'm ready to make a statement. I shot Andrew Fergusson. It was practically an accident. The gun had a hair

trigger and I didn't know it."

I indicated the revolver on the desk. "You are referring to this weapon?"

He nodded. "It belongs to Mr. Fergusson. Or did when he was alive. It was in the desk drawer and I was just looking it over when he came into the study and surprised me. Somehow I pulled the trigger and the damn thing went off. It was just one of those things."

I shook my head sadly. "So you were engaged in robbing your employer?"

"You might say that. Mr. Fergusson, his nephew Rudolph, his niece Henrietta, and that lawyer, Quinlan, were playing bridge in the drawing room like they do almost every night. So I sneaked back here to the study where I knew that he kept some cash in his desk drawer. I thought I'd take that and a few other things and then leave one of the French windows open so it would look like a burglar had broken in."

My partner Ralph had been taking notes. "You were Fergusson's gardener?"

Pomfret nodded. "For the last three months."

Ralph looked up. "Three months? Where did you work before?"

"I was head inmate gardener at the state prison. I served over fifty years."

I indicated some disbelief. "*Fifty years?*"

He smiled. "I killed a cop. It was sort of accidental too, like this. By rights the judge should have given me life imprisonment, which would have made me eligible for parole in twelve years and eight months. But he had this thing about killing policemen and so he made it ninety-nine years instead. I served fifty and then, practically out of the blue, the warden called me in and said that I was a free man. It was all due to Mr. Fergusson, who was on the parole board and heard about my case. He gave me the job as his gardener."

I was still a bit shocked. "And so this is how you repay your benefactor? By murdering him?"

"I feel bad about that," he admitted, but then shrugged. "After I shot Fergusson, I panicked, dropped the gun, and ran out through the French windows right into Mr. Rudolph Fergusson."

I now looked at Rudolph Fergusson. He appeared to be in his late thirties and was quite lean and gangling.

He spoke up. "We broke up the bridge game earlier than usual. I

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was taking the short cut across the terrace to the east wing where my rooms are when I heard the shot and Pomfret came scooting out of the study. He ran into me and began babbling something about having just shot my uncle. So we went back there and, sure enough, it seems that he had."

I turned back to Pomfret. "Back-pedaling a bit, how did you, a recently released convict, expect to get away with stealing from your employer? You would certainly be the first person suspected of the theft, regardless of the attempt to make it seem as though it had been the work of a burglar."

Pomfret disagreed. "Put yourself into my benefactor's shoes. Here you have just gone through a lot of trouble to get an old-timer like me released after half a century in prison. You have even given me a job and room and board. Could you possibly imagine that I would be so unbelievably ungrateful as to turn on you and steal your goods? Of course not. You would even feel guilty for thinking such a thing. So you would decide that it must certainly have been a burglar." He smiled about the room. "Well, officers, I'm ready to go."

I took Ralph aside. "Ralph, there is more here than meets the eye."

He shrugged. "It looks pretty cut and dried to me."

"Ralph, how many of our murder cases are cut and dried?"

"About ninety-five percent."

"Ralph, statistics don't tell the whole story. I'd like to talk to the other people involved."

We took Rudolph Fergusson into one corner of the large room.

"Mr. Fergusson," I said, "was your uncle a wealthy man?"

The question was, of course, superfluous. The main building and its wings must have contained some thirty rooms and they were set in the middle of at least five acres of landscaped grounds.

"Well, yes," Rudolph said. "I believe that the last time the subject of money came up, he mentioned that he was worth somewhere in the neighborhood of fifteen million."

"And who are his heirs?"

"I've always been led to believe that my sister Henrietta and I would split ninety percent of his estate. Jason would get ten percent."

"Jason?"

"Jason Quinlan. He's my uncle's lawyer and a personal friend of the family."

"How old are you, Mr. Fergusson?"

"Thirty-nine."

"How old was your uncle?"

"Fifty-six."

"In good health?"

"Yes. Quite healthy."

"Possibly he could have lived to be a hundred?"

"Possibly."

"I suppose that you have money in your own right?"

"Not really. I am a third vice-president in one of my uncle's firms and I live within my salary."

I took Ralph aside again. "He was institutionalized."

"Who? Fergusson?"

"No. I mean Pomfret. He spent fifty years in prison. Fifty years of his life were shaped behind walls. He was told when to get up, when to go to bed, what to wear, how to wear it, and when to wear it. He was told what to eat, where to eat it, and when to eat it."

Ralph nodded. "It sounds familiar. Once you get a steady job, you know what time you have to get up, and what time you have to eat, and—"

"Ralph," I said. "At first Pomfret undoubtedly spent many sleepless nights in prison desperately wishing that he could escape his confinement. But after twenty or thirty years I suspect the longing for the outside world became more a matter of form."

"He didn't really want to leave jail at all?"

"He *thought* he did, but when he was unexpectedly released he realized he was lost in the outside world. He had been in prison too long. He missed the security, the routine, the friends and camaraderie he had in prison."

"Are you telling me that Pomfret killed Fergusson just because he wanted to be sent back? He wanted to be caught?"

"Well, perhaps the actual killing of Fergusson was an accident. The theft itself was meant to send him back. You will notice that Pomfret was not wearing gloves. Undoubtedly he intentionally left fingerprints all over the study. And since Fergusson would very likely call in the police—despite all that benefactor jazz—they would take fingerprints and make comparisons. And Pomfret would be sent back to prison where he really wants to be."

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"So why kill Fergusson?"

"As I said, that might have been an accident. Pomfret was surprised, pointed the weapon automatically, and it went off."

"All right," Ralph said. "It sounds fine to me. We'll take Pomfret to headquarters and book him."

I rubbed my jaw. "On the other hand, maybe it wouldn't hurt to ask just a few more questions."

We took Jason Quinlan into one of the anterooms.

Quinlan was in his middle forties, with a full dark mustache.

"You were Andrew Fergusson's lawyer?" I asked.

He nodded. "And also his accountant, business adviser, long-time friend, and now executor."

"I understand that Fergusson was a wealthy man. Worth something in the vicinity of fifteen million dollars."

"Quite right."

"And what would ten percent of fifteen million dollars be?" I asked cagily.

"One million five hundred thousand dollars."

"And why is Fergusson leaving you that much money?"

"Because I was his lawyer, accountant, business adviser, long-time friend, and now executor."

"What was the state of Andrew Fergusson's health?"

"Excellent, I would say."

"He could have lived to be a hundred?"

"If he really tried."

"I suppose that you are, in your own right, comfortably well off?"

"Not at all. I've gone badly into debt and there are my losses at the track." He brightened. "One and a half million dollars certainly will come in handy."

"What do you know about Pomfret?"

"Well, I know that he was an ex-convict. He has been agreeable enough though, except for tonight's episode."

"Did he seem happy here? Contented? Cheerful?"

Quinlan pondered. "The last month or so he seemed a bit melancholy. Mentioned something about missing all the friends he had back in prison."

I drew Ralph into a corner. "Suppose you wanted to kill somebody

but you didn't have enough nerve to do the deed yourself. What would you be most likely to do, outside of giving up the project entirely?"

"Hire someone else to kill him?"

"Exactly, Ralph."

"Come now, Henry. Are you saying that Pomfret was *hired* by someone around here to kill Fergusson and maybe even take the rap for it?"

"Why not? Here we have one of the beneficiaries of Fergusson's will who sees Pomfret's melancholia and ferrets out the reason. Pomfret would really rather be back in prison, so this beneficiary says, 'Pomfret, I know a way to get you back to prison and at the same time do me a tremendous favor.'"

"That's far-fetched, Henry. Pomfret could get himself sent back to prison just by tossing a brick through a window."

"There is the matter of prestige, Ralph."

"Prestige?"

"Of course. Pomfret was sent to prison for murdering a policeman. You and I do not find anything admirable in killing a police officer, but our view is not shared by many convicts. I imagine that behind the walls, Pomfret had a certain social position not gained by seniority alone. No, he had to go back to prison as a murderer or suffer a considerable loss in stature. Tossing a brick through a window would not do. And, despite what I speculated earlier, a simple theft would not either. It had to be murder, Ralph. Murder."

Ralph studied the ceiling for a while. "Henry, if you were going to hire a killer, would you go to someone who is seventy-two years old?"

"I would if he were the only person available—the only person I *knew* who would do it." I cogitated fiercely. "On the other hand, Ralph, there's another possibility. Suppose Pomfret really initiated the entire thing himself. Once he decided that he wanted to go back to prison and didn't care who he murdered to do it, he approached one of the beneficiaries of Fergusson's will and made him or her an offer. He would kill Fergusson and even take the blame for it."

"But what possible incentive could Pomfret have for murdering Fergusson as a favor for anybody? Money? Wine? Women? Song? Pomfret would be going back to prison where they confiscate most of those things."

"It was probably money," I said thoughtfully. "Money Pomfret could

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spend altruistically. I suspect that if we delve into his background we'll find some dearly beloved who can benefit enormously from Pomfret's charity."

We returned to the study.

"Pomfret," I said, "you were sent to prison for the murder of a police officer. How were you regarded by the other inmates?"

He brightened. "I was someone really important. Murderers are looked up to. Especially cop killers."

I nodded. "Do you have any living relatives?"

"None that I know of."

I pursued the point. "Perhaps someone almost forgotten but now remembered? Some little grandniece or grandnephew requiring expensive medical attention but unable to afford it?"

Pomfret shook his head. "Nobody. I don't know a soul outside the walls."

Rudolph Fergusson had been listening. "Who was that grey-haired man who visited you last month?"

"That was Gimpy O'Rourke. He was paroled about the same time I was."

I moved in. "Gimpy O'Rourke? Why is he called Gimpy?"

"On account of his leg. He broke it sliding into second base when we played Ohio Penitentiary in '43. It never did grow back together right."

"Ah," I said smoothly, "and no doubt an operation, an *expensive* operation, might mend the limb so that he could once again walk tall?"

I smiled. "You'd do anything for Gimpy, wouldn't you?"

"No."

I rephrased the question. "You would do anything for him if it did not conflict fundamentally with what you had already planned to do in the first place."

He frowned over that for ten seconds and then said, "I don't think an operation would do Gimpy much good."

"Why not?"

"He died in his sleep two weeks ago. Of natural causes. I went to the funeral."

I decided it was about time to question Henrietta Fergusson.

She was nearly as tall and angular as her brother. I guessed that she

was in her middle thirties.

"You and your brother live here in this house?"

"Yes."

"And neither one of you is married?"

"Neither."

"Were you fond of your uncle?"

"He had his good points."

"But he is with us no longer," I said. "You are—shall we say—free at last?"

She smiled. "You damn well bet. As soon as I find out how much of the money the government will let me keep, I'm on my way on a trip around the world. I might not come back at all."

"Do you have any money of your own? Besides the anticipated inheritance?"

"Uncle Andrew gave me a weekly allowance. I think at the present moment I have something like thirty-seven dollars in my checking account."

"Suppose that your uncle had continued to live for another thirty years. What would your future have been?"

"I'd probably still be here playing bridge nearly every night."

"When was the last time you spoke to Pomfret? I mean before the murder."

She thought about that. "Late this afternoon when we returned from the target range."

I blinked. "Target range?"

"Yes. It's out behind the greenhouse. We spent an hour there this afternoon."

"We? Who is included in this we? Your brother? Jason Quinlan? Your late uncle?"

"Yes."

I smiled thinly. "Just who was it who suggested that all of you go to the target range this afternoon?"

Her eyes clouded in reflection. "I believe it was Uncle Andrew. But I really don't remember. Why?"

I took Ralph aside.

"We have a cunning opponent here, Ralph. One can almost admire him. Or her. Or them. This is truly a challenge to send the blood coursing through one's veins."

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"What are you talking about, Henry?"

"This puts a new light on the whole situation and definitely establishes premeditated murder."

"I don't follow you, Henry."

"Don't you see how devilishly clever our murderer is? The target range. All of them just *coincidentally* went out target-shooting this afternoon. Our murderer, knowing that the police would undoubtedly check everyone's hands for gunpowder residue, craftily maneuvered the situation so that *all* of the logical suspects would be on the range this afternoon. In that way, after he committed the murder, he would not stand out like a sore thumb because he was the only one to have the incriminating grains on his hands."

Ralph and I gave orders to the technicians that everyone was to be given the test for gunpowder grains.

Then Ralph and I stepped out onto the terrace to wait.

"So you think that one of the three beneficiaries killed Andrew Fergusson and that Pomfret stumbled in on the scene and decided to take advantage of it?"

"I believe that's the answer, Ralph. Though, of course, there are still other possibilities."

"Like what?"

"Possibly Fergusson committed suicide."

"Why the hell would Fergusson want to commit suicide? No one's mentioned that he was depressed or anything of the sort."

"One can never tell the state of a person's mind simply by his demeanor. However, there is yet another possibility. Fergusson might have been murdered by an intruder—a burglar he surprised in the act. And Pomfret, hearing the shot, arrived at the scene and quickly took advantage of the situation for his own personal gain." I paced the flagstones for a few moments. "On the other hand, Ralph, suppose this intruder was not really a burglar at all but a killer hired by one of Fergusson's beneficiaries. He was supposed to make it look like a burglary and killing, but Pomfret messed up the script. Perhaps Rudolph Fergusson hired him. Or Henrietta. Or Quinlan. Or Henrietta and Quinlan. Or Rudolph and Quinlan. Or Henrietta and Rudolph. Or possibly all three of them chipped in to cover the expense of hiring a killer." My jaw firmed. "I'm going to nail the killer's employer, whoever he, she, or they are or is, if it takes me all summer."

"Henry," Ralph said. "If one, two, or all three of them hired a killer, then why all this monkey business about getting gunpowder grains on everybody's hands at the target range?"

I snapped my fingers. "By George, Ralph, you're right. It would have been unnecessary. Yet still it *was* done. Therefore the only obvious conclusion is that no killer was hired at all. Nor was the murderer some surprised legitimate burglar." I shook my head. "No, Ralph, one of our three suspects killed Fergusson."

After what seemed like a long time, Wilson, the head of the crew of technicians, approached us with the results of the gunpowder tests.

"Wilson," I said, "I can tell you exactly what you found. There were gunpowder grains on the hands of everyone except Pomfret."

Wilson shook his head. "No. We found plenty of gunpowder grains on Pomfret's hands."

I frowned. "You're positive there were gunpowder grains on Pomfret's hands?"

Wilson nodded.

I saw the light. "But of course—Pomfret must have done target-shooting with the rest of them. When Henrietta said that all of them had gone shooting, I naturally assumed that this did not include Pomfret, since he was hired help. But evidently he had a preferred status or the murderer cleverly involved him so as to spread the range of suspects."

Wilson cleared his throat. "Pomfret is the *only* one in the house who has gunpowder grains on his hands."

My mouth dropped. "No gunpowder grains on anyone else's hands? Just Pomfret's? But that's impossible."

I strode firmly back to the study and confronted Henrietta. "You distinctly said that all of you went target-shooting this afternoon. Then how the devil do you explain the fact that there are no gunpowder grains on any of your hands?"

Henrietta thought it over. "I suppose it's because we used bows and arrows. It's an archery range."

I looked up at the portrait of the late Andrew Fergusson hanging over the fireplace. In real life I would have heartily disliked him. Eyes too close together. Mouth too thin. Chin definitely weak.

Pomfret spoke. "I'm getting a little tired just standing here. When do I get the ride to headquarters?"

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We took Pomfret downtown where I insisted that he be given a lie detector test. According to the results—if one can believe the word of these weird contraptions—Pomfret was telling the exact truth about the death of Andrew Fergusson and how it occurred.

Ralph and I left him and went to the nearest tavern.

"Ralph," I said, "machines are taking over the world. There's no longer any room for the play of the mind and the scope of the imagination."

"Never mind, Henry," Ralph said. "What'll you have?"

"A glass of sherry," I said. "And make it a double."

It took the bartender ten minutes to find the bottle.



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